THE

MILITARY CONSCRIPTION BILL!

STATE LAWS DISREGARDED!

THE ABLE-BODIED CITIZENS HANDED OVER TO THE PRESIDENT!

White Men and Negroes Mixed In!

The State has no Voice over her Own Citizen Soldiery!

FREEMEN OF CONNECTICUT:—In this tract is published the Military Conscription Bill, as it passed both Houses of Congress, on the 28th of February, 1863. You are requested to read it carefully, and save it for reference. Understand its provisions, for your personal liberties are involved in this bill.

It gives monstrous powers to the President, and takes away from you, the people of Connecticut, the privilege of saying, through your own representatives, how your own militia shall be governed, and what shall be done with them. It gives you no voice over the defenders of your State, or your laws, or your homes, and your liberties.

It gives the President the power to send Provost Marshals into Connecticut, to enroll all her able bodied men between the ages of twenty and forty-five years, and to draft them into the United States service. It disregards Connecticut's enrollment, now just completed. It pays no respect to Connecticut's laws, touching the rights and privileges of her own citizens.

No such vast power was ever before placed in the hands of the President. With two other bills accompanying it, this Military law invests the President with despotic powers. One of these bills places ELEVEN HUNDRED MILLIONS OF DOLLARS IN HIS HANDS. Another one authorizes him to arrest citizens, *without authority of law, and imprison them at his own pleasure!* The third one—the bill herein printed, PLACES IN HIS HANDS ALL THE ABLE BODIED MEN IN THE COUNTRY! These bills gather up, also, all the resources in wealth, and place them in the hands of *one man*, authorizing him to dispose of them! And then it authorizes that one man to imprison as many of the non-combatants, who may be left behind, as he pleases! No Despot in Europe has greater power over the people and their resources; and the policy of such monstrous legislation, is startling to every lover of freedom, whatever may be his belief in the integrity and patriotism of the present incumbent of the Presidential Chair.

The Conscripts are divided into two classes. First, all married and unmarried men between twenty and thirty-five years; and all unmarried men between thirty-five and forty-five years. These are to be *drafted first.* Secondly, all the married men between thirty-five and forty-five years. The second class to be drafted from when the first is exhausted.

These classes include *negroes* and *white* men, and the law specially includes foreigners, who have taken out their *first* papers.

So, that our citizen soldiers are to be marched off to other States, or countries, if the President pleases, in pairs, *with negroes*, a degradation to which they have never before been subjected.

Those who are twenty years old on the first of July next, come within the bill, and also those who are less than forty-five on that day. So that if a man is forty-five years old on the second of July next, he stands in the enrollment for two years, and any time during those two years he may be drafted for *three years*, thus possibly making him serve till he is fifty years old.

The draft is to be for three years—and a notice that you are drafted makes you a United States Soldier, subject to all the pains and penalties of a deserter, if you do not come at the call. The punishment is severe. *The bill ignores the patriotism of the People, and resorts to the extremest measures of force.*

It favors the rich, and exempts them for $300 cash; but it carefully drags in an extra poor man, who *cannot* pay, to supply the place of the wealthy man, who purchases exemption with his money.

The people never conferred upon Congress the power to make such a law as this, and it is unconstitutional. The States reserved to themselves the right to enrol, and to *draft* their own citizens; but Congress has now usurped these powers. It makes a law authorizing the President to take away our able bodied citizens by force, *without consulting our citizens or our State authorities!*

The people of Connecticut should rebuke such a monstrous invasion of their rights, and such a terrible blow at their liberties,

THE CONSCRIPTION BILL.

THE CONSCRIPTION ACT.

Its Amendments and Alterations Complete

FULL PARTICULARS OF THE ENROLLMENT!

An Act for Enrolling and Calling Out the National Forces, and for other Purposes.

WHEREAS, there now exists in the United States, an insurrection and rebellion against the authority thereof, and it is, under the Constitution of the United States, the duty of the government to suppress insurrection and rebellion, to guarantee to each State a Republican form of government, and to preserve the public tranquility; and, *whereas*, for these high purposes, a military force is indispensable to raise and support, which all persons ought willingly to contribute; and, *whereas*, no service can be more praiseworthy and honorable than that which is rendered for the maintenance of the Constitution and the Union, and the consequent preservation of free government, therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all able-bodied male citizens of the United States, and persons of foreign birth who shall have declared on oath their intention to become citizens under and in pursuance of the laws thereof, between the ages of twenty and forty-five years, except as hereinafter excepted, are hereby declared to constitute the national forces, and shall be liable to perform military duty in the service of the United States when called out by the President for that purpose.

SEC. 2. *And be it further enacted*, That the following persons be, and they are hereby, excepted and exempt from the provisions of this act, and shall not be liable to military duty under the same, to wit: Such as are rejected as physically or mentally unfit for the service; also, first the Vice-President of the United States, the judges of the various courts of the United States, the heads of the various executive departments of the government, and the Governors of the various States. Second, the only son liable to military duty of a widow dependent upon his labor for support. Third, the only son of aged or infirm parent or parents dependent upon his labor for support. Fourth, where there are two or more sons of aged or infirm parents subject to draft, the father, or if he be dead, the mother may elect which son shall be exempt. Fifth, the only brother of children not twelve years old, having neither father nor mother, dependent upon his labor for support. Sixth, the father of motherless children under 12 years of age dependent upon his labor for support. Seventh, where there are a father and sons in the same family and household, and two of them are in the military service of the United States as non-commissioned officers, musicians, or privates, the residue of such family and household, not exceeding two, shall be exempt. And no persons but such as are herein excepted shall be exempt: *Provided, however*, That no person who has been convicted of any felony shall be enrolled or permitted to serve in said forces.

SEC. 3. *And be it further enacted*, That the national forces of the United States not now in the military service, enrolled under this act, shall be divided into two classes, the first of which shall comprise all persons subject to do military duty between the ages of twenty and thirty-five years, and all unmarried persons subject to do military duty above the age of thirty-five and under the age of forty-five; the second class shall comprise all other persons subject to do military duty; and they shall not, in any district, be called into the service of the United States until those of the first class shall have been called.

SEC. 4. *And be it further enacted*, That, for greater convenience in enrolling, calling out, and organizing the national forces, and for the arrest of deserters and spies of the enemy, the United States shall be divided into districts, of which the District of Columbia shall constitute one, each territory of the United States shall constitute one or more, as the President shall direct, and each Congressional district of the respective States, as fixed by a law of the State next preceding the enrollment, shall constitute one; *Provided*, That in states which have not by their laws been divided into two or more Congressional districts, the President of the United States shall divide the same into so many enrollment districts as he may deem fit and convenient.

SEC. 5. *And be it further enacted*, That for each of said districts there shall be appointed by the President a Provost Marshal, with the rank, pay, and emoluments of a captain of cavalry, or an officer of said rank shall be detailed by the President, who shall be under the direction and subject to the orders of a Provost Marshal General, appointed or detailed by the President of the United States, whose office shall be at the seat of government, forming a separate bureau of the War Department, and whose rank, pay, and emoluments shall be those of a colonel of cavalry.

SEC. 6. *And be it further enacted*, That it shall be the duty of the Provost marshal General, with the approval of the Secretary of War, to make rules and regulations for the government of his subordinates, to furnish them with the names and residences of all deserters from the army, or any of the land forces in the service of the United States, including the militia, when reported to him by the commanding officers; to communicate to them all orders of the President in reference to calling out the national forces; to furnish proper blanks and instructions for enrolling and drafting; to file and preserve copies of all enrollment lists; to require stated reports of all proceedings on the part of his subordinates; to audit all accounts connected with the service under his direction; and to perform such other duties as the President may prescribe in carrying out the provisions of this act.

SEC. 7. *And be it further enacted*, That it shall be the duty of the Provost Marshals to arrest all deserters, whether regulars, volunteers, militiamen, or persons called into the service under this or any other act of Congress, wherever they may be found, and to send them to the nearest military commander or military post; to detect, seize and confine spies of the enemy who shall, without unreasonable delay, be delivered into the custody of the General commanding the department in which they may be arrested, to be tried as soon as the exigencies of the service permit; to obey all lawful orders and regulations of the Provost Marshal-General, and such as may be prescribed by law, concerning the enrollment and calling into service of the national forces.

SEC. 8. *And be it further enacted*, That in each of said districts there shall be a board of enrollment, to be composed of the Provost Marshal, as President, and two other persons, to be appointed by the President of the United States, one of whom shall be a licensed and practicing physician and surgeon.

SEC. 9. *And be it further enacted*, That it shall be the duty of the said board to divide the district into sub-districts of convenient size, if they shall deem it necessary, not exceeding two, without the direction of the Secretary of War, and to appoint, on or before the tenth day of March next, and in each alternate year thereafter, an enrolling officer for each sub-district, and to furnish him with proper blanks and instructions; and he shall immediately proceed to enroll all persons subject to military duty, noting their respective places of residence, ages on the first day of July following, and their occupation, and shall on or before the first day of April report the same to the board of enrollment, to be consolidated into one list, a copy of which shall be transmitted to the Provost marshal General on or before the first day of May succeeding the enrollment. *Provided, nevertheless*, That if, from any cause, the duties prescribed by this section cannot be performed within the time specified, then the same shall be performed as soon thereafter as practicable.

SEC. 10. *And be it further enacted*, That the enrollment of each class shall be made separately, and shall only embrace those whose ages shall be on the first day of July thereafter between twenty and forty-five years.

SEC. 11. *And be it further enacted*, That all persons thus enrolled shall be subject, for two years after the first day of July succeeding the enrollment, to be called into the military service of the United States, and to continue in service during the present rebellion, not however, exceeding the term of three years, and when called into service shall be placed on the same footing, in all respects, as volunteers for three years or during the war, including advance pay and bounty, as now provided by law.

SEC. 12. *And be it further enacted*, That whenever it may be necessary to call out the national forces for military service, the President is hereby authorized to assign to each district the number of men to be furnished by said district; and thereupon the enrolling board shall, under the direction of the President, make a draft of the required number, and fifty per centum in addition, and shall make an exact and complete roll of the names of the persons so drawn, and of the order in which they were drawn, so that the first drawn may stand first upon the said roll, and the second may stand second, and so on. And the persons so drawn shall be notified of the same within ten days thereafter, by a written or printed notice, to be served personally or by leaving a copy at the last place of residence, requiring them to appear at a designated rendezvous to report for duty. In assigning to the districts the number of men to be furnished therefrom, the President shall take into consideration the number of volunteers and militia furnished by and from the several States in which said districts are situated, and the period of their service since the commencement of the present rebellion, and shall so make said assignment as to equalize the numbers among the districts of the several States, considering and allowing for the numbers already furnished as aforesaid and the time of their service.

SEC. 13. *And be it further enacted*, That any person drafted and notified to appear as aforesaid, may, on or before the day fixed for his appearance, furnish an acceptable substitute to take his place in the draft; or he may pay to such person as the Secretary of War may authorize to receive it, such sum, not exceeding three hundred dollars, as the Secretary may determine, for the procuration of such substitute, which sum shall be fixed at a uniform rate by a general order made at the time of ordering a draft for any State or Territory; and thereupon such person so furnishing the substitute, or paying the money, shall be discharged from further liability under that draft. And any person failing to report after due service of notice, as herein prescribed, without furnishing a substitute, or paying the required sum therefor, shall be deemed a deserter, and shall be arrested by the Provost Marshal and sent to the nearest military post for trial by court martial, unless upon proper showing that he is not liable to do military duty, the board of enrollment shall relieve him from the draft.

SEC. 14. *And be it further enacted*, That all drafted persons shall, on arriving at the rendezvous, be carefully inspected by the surgeon of the board, who shall truly report to the board the physical condition of each one; and all persons drafted and claiming exemption from military duty on account of disability, or any other cause, shall present their claims to be exempted to the board, whose decision shall be final.

SEC. 15. *And be it further enacted*, That any surgeon charged with the duty of such inspection who shall receive from any person whomsoever, any money or other valuable thing, or agree, directly or indirectly, to receive the same to his own or another's use for making an imperfect inspection or a false or incorrect report, or shall wilfully neglect to make a faithful inspection and true report, shall be tried by a court martial, and on conviction thereof, be punished by fine not exceeding five hundred dollars nor less than two hundred, and be imprisoned at the discretion of the court, and be cashiered and dismissed from the service.

SEC. 16. *And be it further enacted*, That as soon as the required number of able bodied men liable to do military duty shall be obtained from the list of those drafted, the remainder shall be discharged. And all drafted persons reporting at the place of rendezvous, shall be allowed travelling pay from their places of residence; and all persons discharged at the place of rendezvous shall be allowed travelling pay to their places of residence; and all expenses connected with the enrollment and draft, including subsistence while at the rendezvous, shall be paid from the appropriation for enrolling and drafting, under such regulations as the President of the United States shall prescribe; and all expenses connected with the arrest and return of deserters to their regiments, or such other duties as the provost marshals shall be called upon to perform, shall be paid from the appropriation for arresting deserters, under such regulations as the President of the United States shall prescribe: *Provided*, The provost marshals shall in no case receive commutation for transportation or for fuel and quarters, but only for forage, when not furnished by the government, together with actual expenses of postage, stationery, and clerk hire authorized by the provost marshal general.

SEC. 17. *And be it further enacted*, That any person enrolled and drafted according to the provisions of this act, who shall furnish an acceptable substitute, shall thereupon receive from the board of enrollment a certificate of discharge from such draft, which shall exempt him from military duty during the time for which he was drafted; and such substitute shall be entitled to the same pay and allowances provided by law as if he had been originally drafted into the service of the United States.

SEC. 18 *And be it further enacted*, That such of the volunteers and militia now in the service of the United States, as may re-enlist to serve one year, unless sooner discharged, after the expiration of their present term of service, shall be entitled to a bounty of fifty dollars, one-half of which to be paid upon such re-enlistment, and the balance at the expiration of the term of re-enlistment. And such as may re-enlist to serve for two years, unless sooner discharged, after the expiration of their present term of enlistment shall receive, upon such re-enlistment, twenty-five dollars of the one hundred dollars bounty for enlistment provided by the fifth section of the act approved twenty-second of July, eighteen hundred and sixty-one, entitled "An act to authorize the employment of volunteers to aid in enforcing the laws and protecting public property."

SEC. 19. *And be it further enacted*,—That whenever a regiment of volunteers of the same arm, from the same State, is reduced to one half of the maximum number prescribed by law, the President may direct the consolidation of the companies of such regiment: *Provided*, That no company so formed shall exceed the maximum number prescribed by law. When such consolidation is made, the regimental officers shall be reduced in proportion to the reduction in the number of companies.

SEC. 20. *And be it further enacted*, That whenever a regiment is reduced below the minimum number allowed by law, no officers shall be appointed in such regiment beyond those necessary for the command of such reduced number.

SEC. 21. *And be it further enacted*, That so much of the fifth section of the act approved seventeenth July, eighteen hundred and sixty-two, entitled "An act to amend an act calling forth the militia to execute the laws of the Union," and so forth, as requires the approval of the President to carry into execution the sentence of a court-martial, be, and the same is hereby repealed, as far as relates to carrying into execution the sentence of any court-martial against any person convicted as a spy or deserter, or of mutiny or murder; and hereafter sentences in punishment of these offences may be carried into execution upon the approval of the commanding General in the field.

SEC. 22. *And be it further enacted*, That courts-martial shall have power to sentence officers who shall absent themselves from their commands without leave, to be reduced to the ranks to serve for three years or during the war.

SEC. 23. *And be it further enacted*, That the clothes, arms, military outfits, and accoutrements furnished by the United States to any soldier shall not be sold bartered, exchanged pledged, loaned or given away; and no person not a soldier, or duly authorized officer of the United States, who has possession of any such clothes, arms, military outfits, or accoutrements, furnished as aforesaid, which have been the subjects of any such sale, barter, exchange, pledge, loan or gift, shall have any right, title or interest therein, but the same may be seized and taken wherever found by any officer of the United States, civil or military, and shall thereupon be delivered to any quartermaster, or other officer authorized to receive the same; and the possession of any such clothes, arms, military outfits, or accoutrements, by any person not a soldier or officer of the United States,

shall be *prima facie* evidence of such sale, barter, exchange, pledge, loan, or gift, as aforesaid.

SEC. 24. *And be it further enacted,* That every person not subject to the rules and articles of war who shall procure or entice, or attempt to procure or entice, a soldier in the service of the United States to desert; or who shall harbor, conceal, or give employment to a deserter, or carry him away, or aid in carrying him away, knowing him to be such; or who shall purchase from any soldier his arms, equipments, ammunition, uniform, clothing, or any part thereof; and any captain or commanding officer of any ship or vessel, or any superintendent or conductor of any railroad, or any other public conveyance, carrying away any such soldier as one of his crew or otherwise, knowing that he has deserted, or shall refuse to deliver him up to the orders of his commanding officer, shall, upon legal conviction, be fined, at the discretion of any court having cognizance of the same, in any sum not exceeding five hundred dollars, and he shall be imprisoned not exceeding two years nor less than six months.

SEC. 25. *And be it further enacted,* That if any person shall resist any draft of men enrolled under this act into the service of the United States, or shall counsel or aid any person to resist any such draft; or shall assault or obstruct any officer in making such draft, or in the performance of any service in relation thereto; or shall counsel any person to assault or obstruct any such officer, or shall counsel any drafted man not to appear at the place of rendezvous, or wilfully dissuade them from the performance of military duty as required by law such person shall be subject to summary arrest by the Provost Marshal, and he shall be forthwith delivered to the civil authorities, and, upon conviction thereof, be punished by a fine not exceeding five hundred dollars, or by imprisonment not exceeding two years, or by both of said punishments.

SEC. 26. *And be it further enacted,* That immediately after the passage of this act, the President shall issue his proclamation declaring that all soldiers now absent from regiments without leave may return within a time specified to such place or places as he may indicate in his proclamation, and be restored to their respective regiments without punishment, except the forfeiture of their pay and allowances during their absence; and all deserters who shall not return within the time so specified by the President shall, upon being arrested, be punished as the law provides.

SEC. 27 *And be it further enacted,* That depositions of witnesses residing beyond the limits of the State, territory, or district in which military courts shall be ordered to sit, may be taken in cases not capital by either party, and read in evidence; provided the same shall be taken upon reasonable notice to the opposite party, and duly authenticated,

SEC. 28. *And be it further enacted,* That the Judge Advocate shall have power to appoint a reporter, whose duty it shall be to record the proceedings of and testimony taken before military courts instead of the Judge Advocate; and such reporter may take down such proceedings and testimony in the first instance in short-hand. The reporter shall be sworn or affirmed faithfully to perform his duty before entering upon it.

SEC. 29. *And be it further enacted,* That the court shall, for reasonable cause, grant a continuance to either party for such time and so often as shall appear to be just: *Provided,* That if the prisoner be in close confinement the trial shall not be delayed for a period longer than sixty days.

SEC. 30. *And be it further enacted,* That in time of war, insurrection, or rebellion, murder, assault and battery with intent to kill, manslaughter, mayhem, wounding by shooting or stabbing with intent to commit murder, robbery, arson, burglary, rape, assault and battery with an intent to commit rape, and larceny, shall be punishable by the sentence of a general court-martial or military commission, when committed by persons who are in the military service of the United States, and subject to the articles of war; and the punishments for such offences shall never be less than those inflicted by the laws of the State, Territory, or District in which they may have been committed.

SEC. 31. *And be it further enacted,* That any officer absent from duty with leave, except for sickness or wounds, shall, during his absence, receive half of the pay and allowances prescribed by law, and no more; and any officer absent without leave shall, in addition to the penalties prescribed by law or a court-martial, forfeit all pay or allowances during such absence.

SEC. 32. *And be it further enacted,* That the commanders of regiments and of batteries in the field are hereby authorized and empowered to grant furloughs for a period not exceeding thirty days at any one time to five per centum of the non-commissioned officers and privates, for good conduct in the line of duty, and subject to the approval of the commander of the forces of which such non-commissioned officers and privates form a part.

SEC. 33. *And be it further enacted,* That the President of the United States is hereby authorized and empowered, during the present rebellion, to call forth the national forces, by draft, in the manner provided for in this act.

SEC, 34. *And be it further enacted,* That all persons drafted under the provisions of this act shall be assigned by the President, to military duty in such corps, regiments, or other branches of the service, as the exigencies of the service may require.

SEC. 35. *And be it further enacted,* That hereafter details to special service shall only be made with the consent of the commanding officer of forces in the field; and enlisted men now or hereafter detailed to special service, shall not receive any extra pay for such services beyond that allowed to other enlisted men.

SEC. 36. *And be it further enacted,* That general orders of the War Department, numbered one hundred and fifty-four and one hundred and sixty-two, in reference to enlistments from the volunteers into the regular service, be, and the same are hereby rescinded; and hereafter no such enlistments shall be allowed.

SEC. 37. *And be it further enacted,* That the grades created in the cavalry forces of the United States by section eleven of the act approved seventeenth July, eighteen hundred and sixty-two, and for which no rate of compensation has been provided, shall be paid as follows, to wit: Regimental commissary, the same as regimental quartermaster; chief trumpeter, the same as chief bugler; saddler sergeant, the same as regimental commissary sergeant; company commissary sergeant, the same as company quartermaster's sergeant; *Provided,* that the grade of supernumerary second lieutenant, and two teamsters for each company, and one chief farrier and blacksmith for each regiment, as allowed by said section of that act be, and they are hereby abolished; and each cavalry company may have two trumpeters, to be paid as buglers; and each regiment shall have one veterinary surgeon, with the rank of a regimental sergeant major, whose compensations shall be seventy-five dollars per month.

SEC. 38. *And be it further enacted,* That all persons who, in time of war or rebellion against the supreme authority of the United States, shall be found lurking or acting as spies in or about any of the fortifications, posts, quarters, or encampments of any of the armies of the United States, or elsewhere, shall be triable by a general court martial or military commission, and shall, upon conviction, suffer death.

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